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Education

- 1977 J.D., NEW YORK UNIVERSITY SCHOOL OF LAW, New York, N.Y.
- Editor-in-Chief, *New York University Law Review*, 1976-1977.
Winner of John Norton Pomeroy Prize, 1975 (awarded to the top 15 students in the first year class).
- 1973 B.A., WILLIAMS COLLEGE, Williamstown, Massachusetts.
- English Major.
Graduated Cum Laude and Phi Beta Kappa.

Books, Articles, and Other Publications

A. Books.

SIMON'S NEW YORK RULES OF PROFESSIONAL CONDUCT ANNOTATED (Thomson Reuters, 22nd ed. 2022). This 2,000-page treatise annotates and explains the New York Rules of Professional Conduct and other sources regulating New York lawyers. In 2015, the New York State Bar Association Committee on Professional Ethics presented me with the Sanford D. Levy Memorial Award for my "contributions to the field of legal ethics," including this book.

REGULATION OF LAWYERS: STATUTES AND STANDARDS (Wolters Kluwer, 30th ed. 2019) (co-authored with Professor Stephen Gillers and Dean Andrew Perlman). This volume compiles and annotates the ABA Model Rules of Professional Conduct and various statutes, court rules, and other sources governing lawyers.

LAWYERS AND THE LEGAL PROFESSION: CASES AND MATERIALS (LexisNexis, 4th ed. 2009) (co-authored by Professors Carol Needham and Burnele Powell). This is a textbook for law students taking professional responsibility. I am the lead co-author.

B. Law Review Articles.

Monroe Freedman: Friend, Role Model, and Colleague, 44 Hofstra L. Rev. 275 (2016).

Forward, *Symposium: The Ethics of Lawyers in Government*, 38 Hofstra L. Rev. 825 (2010).

Forward, *Like Gravity*, 34 Hofstra L. Rev. 635 (2006).

Forward, *Conference on Legal Ethics: What Needs Fixing?*, 30 Hofstra L. Rev. 685 (2002).

Legal Ethics Advisors and the Interests of Justice: Is an Ethics Advisor a Conscience or a Co-Conspirator? 70 Fordham L. Rev. 1869 (2002).

The 1999 Amendments to the Ethical Considerations in New York's Code of Professional Responsibility, 29 Hofstra L. Rev. 265 (2000).

Gross Profits? An Introduction to a Program on Legal Fees, 22 Hofstra L. Rev. 625 (1994).

Fee Sharing Between Lawyers and Public Interest Groups, 98 Yale L. J. 1069 (1989).

The New Meaning of Rule 68: Marek v. Chesny and Beyond, 14 N.Y.U. Rev. of Law & Social Change 475 (1986) (lead article in symposium on attorneys' fees).

The Riddle of Rule 68, 54 Geo. Wash. L. Rev. 1 (1985) (selected by AALS Section on Civil Procedure as one of fifteen "particularly noteworthy" articles on civil procedure for 1986).

Rule 68 at the Crossroads: The Relationship Between Offers of Judgment and Statutory Attorneys' Fees, 53 U. Cin. L. Rev. 889 (1984) (cited by Justice Brennan, dissenting, in *Marek v. Chesny*, 473 U.S. 1, 34 n.50 (1985)).

Clinical Programs That Allow Both Credit and Compensation: A Model Program For Law Schools, 61 Wash. U. L.Q. 1015 (1984) (with Tom Leahy).

C. Book Chapters.

Attorney Fees and Conflicts of Interest, a chapter in a six-volume set entitled ENVIRONMENTAL LAW PRACTICE GUIDE (Matthew Bender 1992).

Rule 68 in Civil Rights Litigation, a chapter in 3 J. Lobel & B. Wolvovitz, eds., CIVIL RIGHTS LITIGATION AND ATTORNEY FEES ANNUAL HANDBOOK (Clark Boardman 1987).

D. Additional Publications.

Developments in the Regulation of Lawyers, a column that I wrote once or twice a year from 1991 to 2019 in the Newsletter of the AALS Section on Professional Responsibility (distributed to law professors who teach professional responsibility).

New York Professional Responsibility Report ("NYPRR"): Chief Editorial Advisor and lead writer for this monthly newsletter that focused on professional responsibility issues for lawyers practicing in New York. The newsletter began publication in April 1998, and I contributed an article to virtually every monthly issue -- more than 160 articles -- until the newsletter ceased publication after the publisher's death in November 2011.

New York Law Journal "Back Page": I wrote a quarterly column on ethics issues from August 2001 through November 2004.

Lawsuit Syndication: Selling Stock in Justice, Business & Society Review No. 69 (Spring 1989).

Current Practice Under Rule 68: A Guide to the Existing Rule (Practising Law Institute 1984).

The 1984 Proposal to Amend Rule 68: A Line-by-Line Analysis (Practising Law Institute 1984).

Academic Employment

1992-2011 HOFSTRA UNIVERSITY SCHOOL OF LAW, Hempstead, New York. Professor of Law (1992-2003); Howard Lichtenstein Distinguished Professor of Legal Ethics (2003-2011); Distinguished Professor of Legal Ethics Emeritus (beginning September 1, 2011).

Courses taught at Hofstra: (1) Ethics & Economics of Law Practice (also called Lawyers' Ethics) (1992-2009); (2) Civil Procedure (1997-2006); (3) Antitrust (2001-2004); (4) Insurance Law (1999, 2000, & 2003); (5) Contracts (2006-2010); (6) Disabilities Law Clinic (Director from 1992-1997); and (7) Law & Economics (2007-2009).

1983-1992 WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri. Assistant Professor, 1983-1986; promoted to Associate Professor on July 1, 1986; promoted to full professor, with tenure, on July 1, 1989.

Courses I taught at Washington University: (1) Legal Profession (1985-1992); (2) Pretrial Litigation (1983-1991); (3) Agency and Partnership (1992); (4) Trial Practice (1990-1991); (5) Complex Litigation (1990-1991); and (6) Clinical Courses, supervising law students handling actual cases in various government offices, including the United States Attorney's Office (Civil and Criminal Divisions), Legal Services of Eastern Missouri, and the Public Defender's Office (1983-1991).

Legal Employment

1976 Summer Associate, DAVIS POLK & WARDWELL, New York, New York. (Received but declined permanent offer.)

1977-78 Law Clerk, HON. ROBERT R. MERHIGE, JR., United States District Court for the Eastern District of Virginia, Richmond, Virginia.

1978-82 Associate, JENNER & BLOCK, Chicago, Illinois.

Professional Activities

New York State Bar Association' Committee on Standards of Attorney Conduct ("COSAC"): Chair (2014-2017 and 2020-present), Co-Chair (2017-2020), Vice-Chair (2003-2014), Chief Reporter (since 2003), and Member (since 2000). This Committee drafted proposed New York Rules of Professional Conduct from 2003 to 2008. COSAC continues to monitor and propose amendments to the New York Rules of Professional Conduct, and it comments on other existing and proposed rules, standards, and guidelines affecting lawyers.

New York State Bar Association Committee on Professional Ethics: Member (1995-present); Chair (2008-2011). This Committee responds to ethics inquiries from attorneys regarding the New York Rules of Professional Conduct, and the Committee comments on proposals affecting regulation of lawyers.

New York City Bar Committee on Professional Ethics: Member for three separate three-year terms – 2002-2005, 2012-2015, and 2019-2022.

Nassau County Bar Committee on Professional Ethics: Member (1993-2012) and Chair (1996-1998).

New York State Bar Association Committee on Technology and the Legal Profession: Member since June 2017. (I was an inaugural member of this committee.)

New York State Bar Association Working Group on Judiciary Law § 470: Member.

Association of the Bar of the City of New York Committee on Professional Responsibility: Member 2005-2008.

New York City Bar Task Force on the Role of the Lawyer in Corporate Governance: Member 2005-2006 (from inception of Task Force to completion).

New York City Bar Ethics 2000 Committee: Member 2000-2002. This seven-member special committee, appointed by the President of the Association, spent two years reviewing and commenting on the work of the American Bar Association's Ethics 2000 Commission, which recommended amendments to the ABA Model Rules of Professional Conduct.

New York City Bar Committee on Professional Discipline: Member 1995-1998 (three-year term). Chair of Subcommittee on Ethics Rules in Federal Courts.

AALS Section of Professional Responsibility: Chair (1993) and Executive Committee Member (1990-1994).

Testified before the Advisory Committee on Civil Rules about a pending proposal to amend Fed. R. Civ. P. 68, Washington, D.C., February 1, 1985.

Admitted to practice law in New York since 1992.

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